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PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

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Total Number of Pages in This Submission

3

Application Number	10/673,481
Filing Date	September 30, 2003
First Named Inventor	Brian Gerald Rich
Art Unit	2876
Examiner Name	Daniel St Cyr
Attorney Docket Number	SHAP-0007

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input checked="" type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Transmittal - Express Abandonment - 1 page Return Receipt Postcard
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#### Remarks

The Commissioner is hereby authorized to debit any underpayment or credit any overpayment to the USPTO deposit account no. 500999 should any additional fees be necessary.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Hoffman, Warnick & D'Alessandro LLC		
Signature			
Printed name	John A. Merecki		
Date	9/8/05	Reg. No.	35,812

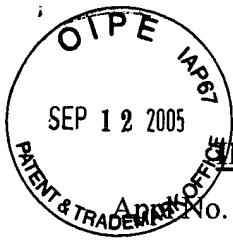
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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Jennifer Shafer	Date	September 8, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No. : 10/673,481  
Applicant : Brian Gerald Rich  
Filed : September 30, 2003  
TC/AU : 2876  
Examiner : Daniel St Cyr  
Docket No. : SHAP-0007

Confirmation No. 3891

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR EXPRESS ABANDONMENT**

Dear Sir:

In response to the Office Action of June 21, 2005, Applicant wishes to expressly abandon the subject application in order to avoid any further correspondence from the U.S. Patent Office.

Should any further fees or payments be necessary for entry of this amendment and further prosecution of this application, the undersigned hereby authorizes the Commissioner to debit and/or credit our Deposit Account No. 500999.

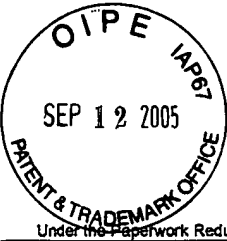
Respectfully Submitted,

Date : September 8, 2005

Hoffman, Warnick & D'Alessandro LLC  
75 State Street, 14th Floor  
Albany, NY 12207  
Telephone No.: (518) 449-0044

By: \_\_\_\_\_

John A. Merecki  
Reg. No. 35,812



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PTO/SB/24 (06-04)  
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### EXPRESS ABANDONMENT UNDER 37 CFR 1.138

Fax directly to the Pre-Grant Publication Division at (703) 305-8568; or  
mail to: Mail Stop Express Abandonment  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/673,481
Filing Date	September 30/2003
First Named Inventor	Brian Gerald Rich
Art Unit	2876
Examiner Name	Daniel St Cyr
Attorney Docket Number	SHAP-0007

Please check only one of boxes 1 or 2 below.

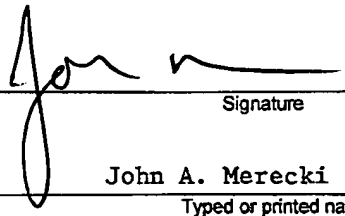
(If no box is checked, this paper will be treated as a request for express abandonment as of the filing date of this paper.)

- ☒ **Express Abandonment**  
I request that the above-identified application be expressly abandoned as of the filing date of this paper.
- ☐ **Express Abandonment in Favor of a Continuing Application**  
I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed previously or herewith.

**NOTE:** A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01.

**TO AVOID PUBLICATION, PLEASE USE FORM PTO/SB/24A INSTEAD OF THIS FORM.**

- I am the: ☐ applicant.
- ☐ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)
- ☒ attorney or agent of record. Registration Number 35,812
- ☐ attorney or agent acting under 37 CFR 1.34 (may act under 37 CFR 1.34  
only if box 2 above, stating that the application is expressly abandoned in favor of  
a continuing application, is checked). Attorney or agent registration number if  
acting under 37 CFR 1.34. \_\_\_\_\_  
(Attorney or agent registration number)

  
\_\_\_\_\_  
Signature

John A. Merecki  
\_\_\_\_\_  
Typed or printed name

September 8, 2005  
\_\_\_\_\_  
Date

(518) 449-0044  
\_\_\_\_\_  
Telephone Number

**Note:** Signature of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 1 forms are submitted.

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